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NATIONAL SECURITY COUNCIL

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February 9, 1971

MEMORANDUM FOR: DR. KISSINGER

FROM: ROBERT M. BEHR *RMB*

SUBJECT: Second Lefevre Visit -- Post-Apollo Space Cooperation

Minister Lefevre and a contingent of Europeans will meet with Under Secretary Johnson on 11 February 1971 to discuss cooperation with the U. S. in our post-Apollo space program. The meeting was requested by Mr. Lefevre. He will be accompanied by representatives of the FRG, France, the UK, Italy, Belgium, the Netherlands, Spain and Switzerland.

The purpose of the meeting is to discuss the political and financial implications of European participation in the post-Apollo program. As they did at the last meeting, the Europeans will want to dwell in depth on what they consider to be U. S. "conditions" affecting their status as partners -- especially the terms under which the U. S. will provide launch services to put up European regional communications satellites both before and after the advent of the space shuttle.

You may recall that in the September talks (later confirmed in a letter from Alex Johnson to Lefevre), we told the Europeans that we would provide launch services "for any peaceful purpose consistent with relevant international agreements".

The contentious aspect of our proviso relates to INTELSAT and the obligations we and the Europeans would assume once definitive arrangements have been concluded (perhaps in April 1971). As applied to the launching of telecommunications satellites, we offered an assurance of launch services for those who participate substantially in the post-Apollo program "in those cases where no negative funding is made by the appropriate INTELSAT organ, regardless of the position taken by the U. S. in the vote." In those cases where there is a negative finding, the U. S. could not in advance commit to provide launch services. Ambassador Johnson has affirmed that this assurance remains unchanged.

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Notwithstanding the affirmation of our previous position, the Europeans are nervous about an emerging consensus on the meaning of a "negative finding". In September, Alex Johnson told Lefevre informally that he understood a negative finding to mean that were the question put to vote -- "does this satellite offer a potential of grave economic harm to INTELSAT"-- and one-third of the voting states plus one voted that it did not, then a negative finding would not exist. Now, however, as the result of intervening INTELSAT deliberations, the view (which the U. S. has supported), is that the proposer of a regional satellite must accept the burden of obtaining a two-thirds vote of the Assembly in favor of the project.

Having been informed of the U. S. acceptance of this formulation, the Europeans are now claiming that our position has hardened rather than become more reasonable.

As a French space official has put it, we are "offering an accord which the U. S. need not violate, but merely follow, to refuse a European launcher request". Quite naturally, the Europeans would prefer no restrictions and will argue strongly that their interests should not be held hostage by the U. S. through INTELSAT.

There is a practical way out of the dilemma (apart from the theological aspects of the issue itself--for it's most unlikely that the U. S. and the Europeans voting together could not pull in a two-thirds majority of those voting). Alex Johnson is going to tell the Europeans to state for us precisely what they have in mind with regard to the configuration and geographical coverage of their proposed communications satellites. We will then, with reasonable dispatch, undertake to determine the position we would take in INTELSAT were such specific proposals to be put forward.

The fact is that we cannot have it both ways. We cannot be a major supporter of INTELSAT and at the same time promise our potential post-Apollo partners that we will unequivocally support their interests against those of the other Consortium members.

The real questions are these:

(1) Are the Europeans more interested in commercial applications than in acquiring technological know-how in space. If the latter, we may be able to draw them aboard.

(2) To what extent is the U. S. willing to assume a protective role toward INTELSAT in the face of possible reverses in other areas of space cooperation?

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I will attend the meetings with Minister Lefevre and report the highlights.
(FYI: Alex Johnson has asked me to go to his office on the afternoon of
10 February to discuss the "philosophical basis for space cooperation".
He appears to think that a brain-storming session will help him fix the
boundaries of his negotiating latitude.)

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